



General Assembly

February Session, 2016

Raised Bill No. 5176

LCO No. 1059



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT CONCERNING COMMUNITY RESIDENCES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-3e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2016*):

3 (a) No zoning regulation shall treat the following in a manner
4 different from any single family residence: (1) Any community
5 residence that houses six or fewer persons with intellectual disability
6 and necessary staff persons and that is licensed under the provisions of
7 section 17a-227, (2) any child-care residential facility that houses six or
8 fewer children with mental or physical disabilities and necessary staff
9 persons and that is licensed under sections 17a-145 to 17a-151,
10 inclusive, (3) any community residence that houses six or fewer
11 persons receiving mental health or addiction services and necessary
12 staff persons paid for or provided by the Department of Mental Health
13 and Addiction Services and that has been issued a license by the
14 Department of Public Health under the provisions of section 19a-491, if
15 a license is required, or (4) any hospice facility, including a hospice
16 residence, that provides inpatient hospice care and services to six or

17 fewer persons and is licensed to provide such services by the
18 Department of Public Health, provided such facility is (A) managed by
19 an organization that is tax exempt under Section 501(c)(3) of the
20 Internal Revenue Code of 1986, or any subsequent corresponding
21 internal revenue code of the United States, as from time to time
22 amended; (B) located in a city with a population of more than one
23 hundred thousand and within a zone that allows development on one
24 or more acres; and (C) served by public sewer and water.

25 (b) Any resident of a municipality in which such a community
26 residence or child-care residential facility is located may, with the
27 approval of the legislative body of such municipality, petition (1) the
28 Commissioner of Developmental Services to revoke the license of such
29 community residence on the grounds that such community residence
30 is not in compliance with the provisions of any statute or regulation
31 concerning the operation of such residences, (2) the Commissioner of
32 Children and Families to revoke the license of such child-care
33 residential facility on the grounds that such child-care residential
34 facility is not in compliance with the provision of any general statute
35 or regulation concerning the operation of such child-care residential
36 facility, or (3) the Commissioner of Mental Health and Addiction
37 Services to withdraw funding from such community residence on the
38 grounds that such community residence is not in compliance with the
39 provisions of any general statute or regulation adopted thereunder
40 concerning the operation of a community residence.

41 (c) Any municipality may designate an employee to serve as a
42 liaison between the municipality and the Department of Public Health,
43 the Department of Developmental Services and the Department of
44 Mental Health and Addiction Services, as applicable, with respect to
45 all matters associated with existing or proposed community residences
46 within the municipality that are operated or funded by any such
47 department. Not later than January 15, 2017, and annually thereafter,
48 the Commissioners of Public Health, Developmental Services and
49 Mental Health and Addiction Services, as applicable, shall provide

50 each municipal liaison with a list of any existing or proposed
51 community residences that are operated or funded by the
52 commissioner's department and located within the liaison's
53 municipality.

54 Sec. 2. (*Effective from passage*) (a) There is established a task force to
55 study the distribution of community residences throughout the state.

56 (b) The task force shall consist of the following members:

57 (1) Two members appointed by the speaker of the House of
58 Representatives;

59 (2) Two members appointed by the president pro tempore of the
60 Senate;

61 (3) One member appointed by the majority leader of the House of
62 Representatives;

63 (4) One member appointed by the majority leader of the Senate;

64 (5) One member appointed by the minority leader of the House of
65 Representatives; and

66 (6) One member appointed by the minority leader of the Senate.

67 (c) Any member of the task force appointed under subsection (b) of
68 this section may be a member of the General Assembly.

69 (d) All appointments to the task force shall be made not later than
70 thirty days after the effective date of this section. Any vacancy shall be
71 filled by the appointing authority.

72 (e) The speaker of the House of Representatives and the president
73 pro tempore of the Senate shall select the chairpersons of the task force
74 from among the members of the task force. Such chairpersons shall
75 schedule the first meeting of the task force, which shall be held not
76 later than sixty days after the effective date of this section.

77 (f) The administrative staff of the joint standing committee of the
78 General Assembly having cognizance of matters relating to planning
79 and development shall serve as administrative staff of the task force.

80 (g) Not later than January 1, 2017, the task force shall submit a
81 report on its findings and recommendations to the joint standing
82 committee of the General Assembly having cognizance of matters
83 relating to planning and development, in accordance with the
84 provisions of section 11-4a of the general statutes. The task force shall
85 terminate on the date that it submits such report or January 1, 2017,
86 whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	8-3e
Sec. 2	<i>from passage</i>	New section

Statement of Purpose:

To allow municipalities to designate an employee to serve as a liaison between the municipality and any state agency with respect to community residences located in such municipality, and to establish a task force to study the distribution of community residences throughout the state.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]